

TO: Mail Stop 8 Director of the U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of California on the following ☒ Patents or ☐ Trademarks.

DOCKET NO. CV 10-05672 WHA	DATE FILED 12/13/2010	U.S. DISTRICT COURT 450 Golden Gate Avenue, San Francisco, CA 94102
PLAINTIFF SHUTTERFLY INC		DEFENDANT EASTMAN KODAK CO, and KODAK IMAGING NETWORK, INC.

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,583,799	Jun 24, 2003	Shutterfly, Inc
2 7,269,800	Sep 11, 2007	Shutterfly, Inc
3 6,587,596	Jul 1, 2003	Shutterfly, Inc
4 6,973,222	Dec 6, 2005	Shutterfly, Inc
5 7,474,801	Jan 6, 2009	Shutterfly, Inc
7,016,869	Mar 21, 2006	Shutterfly, Inc
7,395,229	Jul 1, 2008	Shutterfly, Inc

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK
1	
2	
3	

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT Voluntary dismissal without prejudice. See attached.

CLERK Richard W. Wicking	(BY) DEPUTY CLERK William Noble	DATE January 31, 2011
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Copy 1—Upon initiation of action, mail this copy to Commissioner Copy 3—Upon termination of action, mail this copy to Commissioner
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner Copy 4—Case file copy

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SHUTTERFLY, INC.

Plaintiff,

v.

EASTMAN KODAK COMPANY, and KODAK
IMAGING NETWORK, INC.

Defendants.

Case No. 3:10-cv-05672-WHA

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff Shutterfly, Inc. hereby dismisses, *without prejudice*, all claims in the above-captioned action against Eastman Kodak Company and Kodak Imaging Network, Inc. (collectively, "Kodak"). Kodak has not filed an answer or motion for summary judgment in this matter.

Dated: January 31, 2011

DURIE TANGRI LLP



By: _____
JOSHUA H. LERNER

Attorneys for Plaintiff
SHUTTERFLY, INC.

CERTIFICATE OF SERVICE

I certify that all counsel of record are being served on January 31, 2011, with a copy of this document via the Court's CM/ECF system.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 31, 2011, at San Francisco, California.

/s/ Joshua H. Lerner
JOSHUA H. LERNER